

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

**El Paso Parents, Sargon Bebla,
Cassandra Bebla, Dana Garner, Andrea
Hartley, MacKenzie Martinez, Alofagia
Oney, Denise Prieve, Michell Rechtien,
Jessica Lizette Rodriguez, William C.
Roll, Jr., Elichia Rountree, for themselves
and minor children
*Plaintiffs***

Civil Action No. 3:21-cv-298

V.

**El Paso Independent School District,
Leah Hanany, Al Velarde, Josh Acevedo,
Isabel Hernandez, Israel Irrobali,
Freddy Khlael-Avalos
*Defendants***

DEFENDANTS' NOTICE OF REMOVAL

TO THE HONORABLE JUDGE OF SAID COURT:

Defendants El Paso Independent School District, Leah Hanany, Al Velarde, Josh Acevedo, Isabel Hernandez, Israel Irrobali, Freddy Khlael-Avalos hereby remove this action from the County Court at Law Number 6 of El Paso County, Texas to the United States District Court for the Western District of Texas, El Paso Division, as provided by 28 U.S.C. §§ 1331, 1441, and 1446 based on this Court's federal question jurisdiction.

1. Plaintiffs filed their Original Petition in the County Court at Law Number 6 of El Paso County. A copy of the Original Petition is attached. Exhibit 1. The attached petition demonstrates that removal is proper because Plaintiffs are seeking to recover for alleged violations of federal law, including the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Fourteenth Amendment of the United States Constitution. 28 U.S.C. §§ 1331, 1441, 1446.

2. Venue is proper in this district because the state court where the suit has been pending is located in this district.

3. Pursuant to 28 U.S.C § 1446(a), Defendants attach to this Notice all pleadings process, orders, and all other filings in the state court action. These documents are attached as Exhibits 1–4.

4. Defendants are filing a copy of this Notice of Removal with the clerk of the state court in which the action has been pending. Exhibit 5.

5. Attached is the Civil Cover Sheet. Exhibit 6.

6. The Supplemental Civil Cover Sheet will be filed on Monday, December 6, 2021, within one business day of the filing of this notice.

PRAYER

Accordingly, Defendants remove this case to the United States District Court for the Western District of Texas, El Paso Division, and ask this Court to retain jurisdiction over this case. Defendants further pray for all necessary writs to bring

before this Court all records and proceedings in the County Court at Law Number 6 of El Paso County and for such other and further special and general relief to which they may be entitled to receive.

Respectfully submitted,

By: /s/ David Campbell

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Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that on December 3, 2021, the following counsel of record was served with the foregoing document via the Court's electronic case filing system:

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